

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BERNADETTE RUGGIERO,

Plaintiff

v.

UNUM LIFE INSURANCE COMPANY
OF AMERICA,

Defendant

Civil No. 04-11561 RCL

JOINT STATEMENT REGARDING PRETRIAL MATTERS

Pursuant to Local Rule 16.1, Plaintiff BERNADETTE RUGGIERO and Defendant UNUM LIFE INSURANCE COMPANY OF AMERICA ("Unum") file this Joint Statement Regarding Pretrial Matters. This matter involves the review of a denial of benefits under an ERISA-covered employee benefit plan.

Proposed Scheduling Order

The Parties propose the following schedule:

On or before January 12, 2005, Defendant shall provide Plaintiff with: a copy of the Administrative Record, consisting of Unum's entire claim file, as well as any and all documents within Unum's possession or control which relate to Plaintiff's claim for benefits, together with a copy of each the Summary Plan Description and Policy of insurance related to the subject Plan, to the extent they are in Unum's possession.

If any party proposes that it is entitled to discovery or any evidentiary hearing, it must file a motion for leave to conduct such discovery or request an evidentiary hearing with the Court by February 25, 2005.

On or before March 25, 2005, both parties shall file with the Court their Cross-Motions for Judgment on the Administrative Record. If it appears that any motion for discovery or request for an evidentiary hearing will remain undecided by March 25, 2005, either party may move for an appropriate adjustment to the schedule for filing Cross-Motions for Judgment.

On or before April 15, 2005, the parties shall file their respective oppositions to Cross-Motions for Judgment.

Oral argument on the parties' Cross-Motions to be scheduled by the Court: _____.

Additional Matters

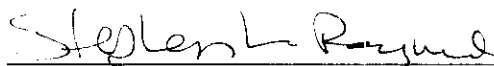
The parties' certifications pursuant to Local Rule 16.1(D)(3) will be filed under separate cover.

The parties do not agree to have this matter heard by a Magistrate Judge.

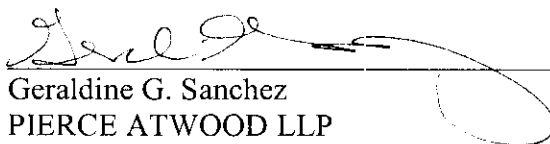
The Plaintiff has submitted a settlement demand to the Defendant pursuant to Local Rule 16.1(C). Defendant is preparing its response to the demand.

DATED: December 13, 2004

Respectfully submitted,



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